04-08-06  
JEP & REF

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

Application Number : 10/574,983 Confirmation No. 8775  
Applicant : Lorna M. Kessell et al.  
Filed : May 20, 2008 2008 JUN 11 PM 5:08  
Tech Cntr/GAU : (unassigned)  
Examiner : (unassigned)  
Entitled : WATER-IN-SILICONE OIL EMULSION FOR USE AS A SUNSCREEN PRODUCT  
Attorney Reference : 011801-0052-999  
Customer Number : 20583

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

REQUEST FOR REFUND

Dear Sir:

A refund is requested in the amount of \$460.00 for the extension of time fees paid in responding on May 20, 2008 to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (Form PCT/DO/EO/905) ("Notification") in the above-identified U.S. National Phase application.

We have no record of ever having received the Notification from the United States Patent & Trademark Office ("USPTO"), despite the fact that the Notification (on its face) recites a mailing date of February 6, 2008 as well as the correct mailing address associated with our Customer ID number 20583.

It is our standard practice to record and maintain a daily log of all communications received from the USPTO as well as the date that all such mailings were received. We have reviewed the daily mail logs for the entire period between February 1, 2008 and March 31, 2008, and have found no record of receipt of the Notification (or of any correspondences from the USPTO regarding this application).

As such, our delay in responding to the Notification was unavoidable. It was not until May 20, 2008 that we discovered the existence of the Notification via a search of private PAIR, whereupon we immediately filed a Response on the same date and paid the two-month extension of time fee of \$460 (see a copy of the date-stamped receipt attached hereto).

U.S. Application Serial No. 10/574,983  
Request for Refund dated June 10, 2008  
Page 2

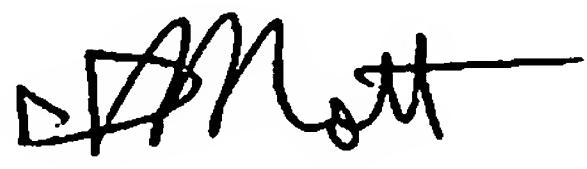


As we have no record of ever having received the Notification from the USPTO, Applicants respectfully request a refund in the amount of \$460.00 (Fee Code 1252) for the unavoidable delay in responding to the Notification, to be credited to Deposit Account No. 503-013 under Reference No. 011801-0052-999.

Respectfully Submitted,

JONES DAY

By:

  
David M. Mott  
Registration No. 47,808

Paul L. Sharer  
Registration No. 36,004

Intellectual Property Group  
51 Louisiana Avenue, N.W.  
Washington, D.C. 20001  
(202) 879-3939 Telephone  
(202) 626-1700 Facsimile

Date: June 10, 2008

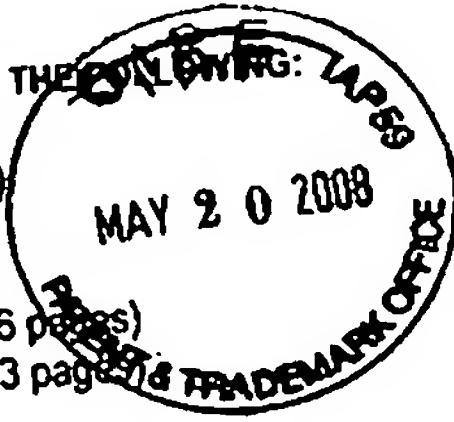
Enclosure



Attorney Docket No. 011801-0052-999      Hand Delivery to USPTO  
Application/Patent No. 10/574,983      Delivery Date: May 20, 2008  
Inventors: Kessell et al.      Atty/Secy: DMM/dbb  
Title: WATER-IN SILICONE OIL EMULSION FOR USE AS A SUNSCREEN  
PRODUCT

BY DATE-STAMP, USPTO ACKNOWLEDGES RECEIPT OF THE FOLLOWING:

- Missing Parts Transmittal (PTO-1390)(in duplicate)
- Copy of Notification of Missing Requirements
- Declaration/POA (executed)(1 page)
- Assignment and Recordation Form Cover Sheet (6 pages)
- Assignment and Recordation Form Cover Sheet (3 pages)
- Extension of Time (2 months)(in duplicate)
- Authorization to charge fees totaling \$670.00 to Deposit Account





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

June 18, 2008

JONES DAY  
INTELLECTUAL PROPERTY GROUP  
51 LOUISIANA AVENUE, N. W.  
WASHINGTON, DC 20001  
US

Dear Sir/Madam,

Your refund request for 10574983 in the amount of \$460.00 has been denied . The applicant has to request this refund throught PCT Legal.

Sincerely,

*Phyllis M. Lawrence*

Phyllis M. Lawrence  
PCT - National  
703 308-9140 x230